ALEXANDRA

Community Improvement Committee

OFFICIAL PLAN

for

LAND USE

1981

QUEENS COUNTY

PRINCE EDWARD ISLAND

ALEXANDRA

COMMUNITY IMPROVEMENT COMMITTEE

OFFICIAL PLAN

FOR

LAND USE

ALEXANDRA, P.E.I.

April, 1981

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ADOPTING THE LAND USE PLAN

PROCEDURE FOR OBTAINING A BUILDING, SEWAGE DISPOSAL SYSTEM PERMIT OR SUBDIVISION APPROVAL

THE PLAN

The Alexandra Official Plan for Land Use will provide direction to the Community Improvement Committee in making future land use and development decisions.

The Plan will be reviewed by February, 1984.

The Plan is viewed as flexible and adaptable to changing conditions, while the underlying principles reflect sincere desires on the part of residents.

Plan implementation will be carried out by the Community Improvement Committee with administrative and technical assistance from the Province, through the Department of Community Affairs.

HILLSBOROUGH PENINSULA

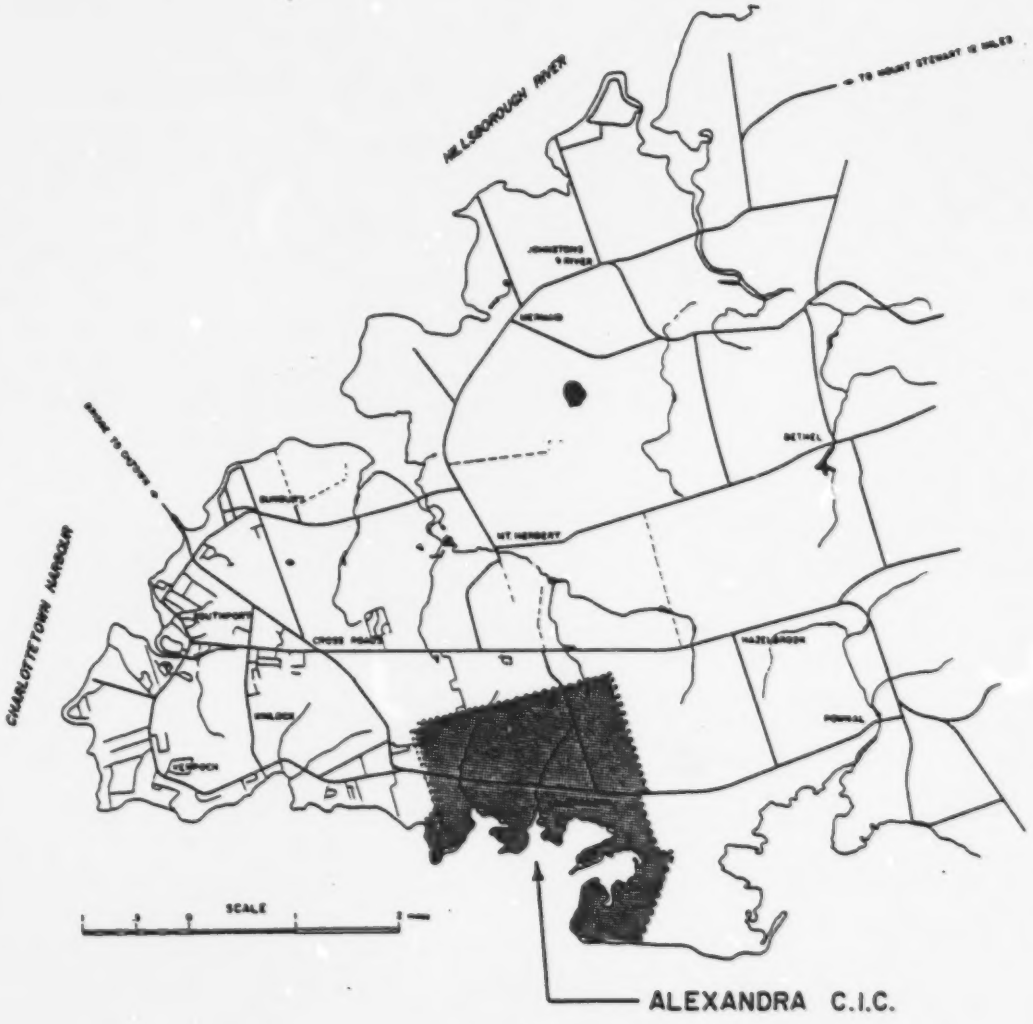

Figure # 1 - Location Map

PURPOSE AND COMMUNITY AIMS

A typical land use plan is a document that identifies a framework for achieving orderly growth and development within a community. The purpose for the Official Plan for Land Use is to coordinate future development in a way that complements the physical, social, and economic features of Alexandra.

The community of Alexandra has seven basic aims for land use and development:

1. provide the opportunity for public involvement;

2. help ensure all new development complements the existing agricultural and residential land use activities:

3. help provide for some of the social, economic, and physical needs of residents by ensuring adequate land is available for residential, agricultural, commercial, industrial, and recreational development;

4. keep environmental degradation to a minimum;

5. guide land development in a way that will reduce the need for a municipal water and / or sewage disposal system, and other municipal services;

6. protect property values by ensuring land uses are complementary and compatible;

7. preserve a strong sense of community identity.

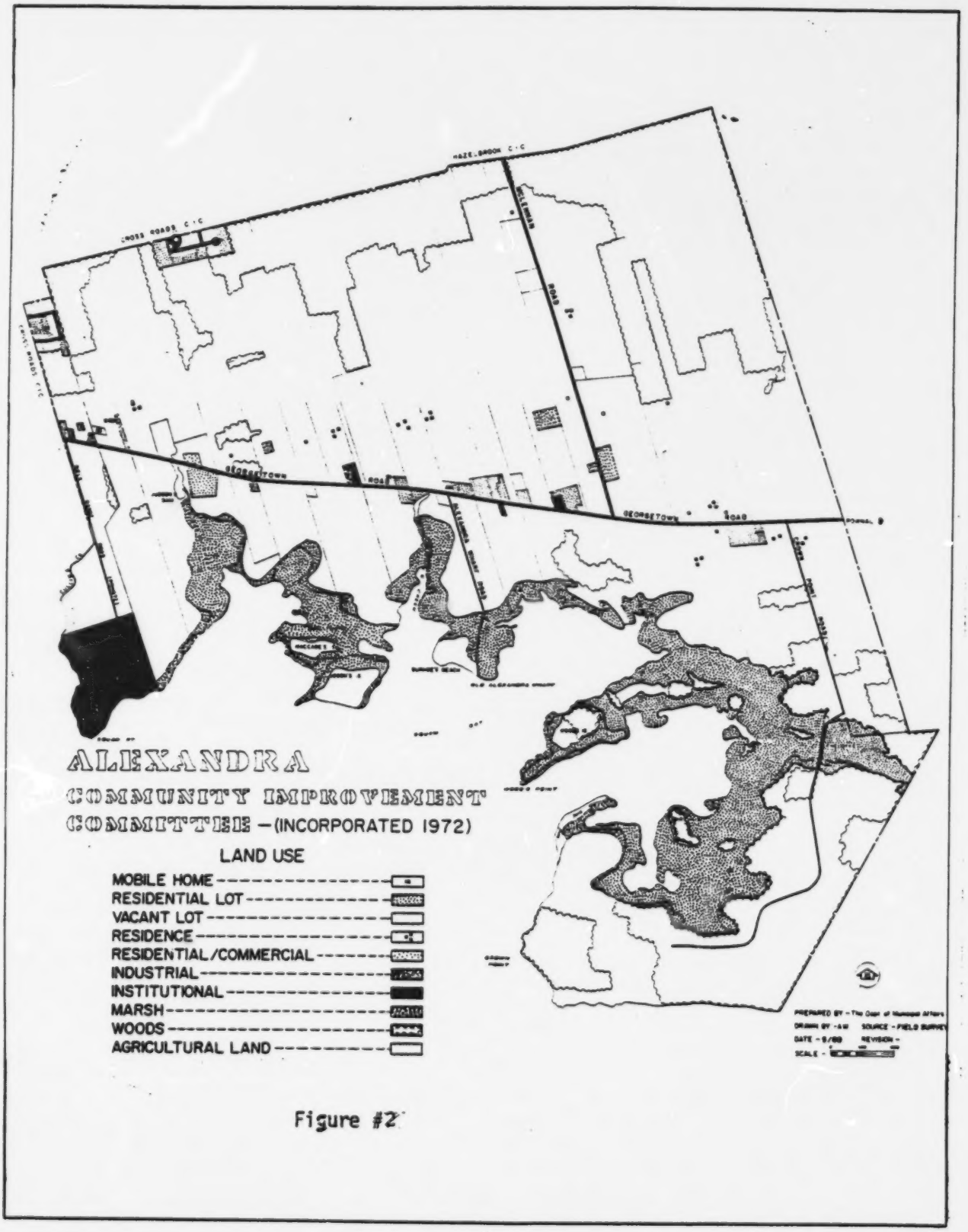
ALEXANDRA
COMMUNITY IMPROVEMENT
COMMITTEE – (INCORPORATED 1972)
LAND USE
MOBILE HOME
RESIDENTIAL LOT
VACANT LOT
RESIDENCE
RESIDENTIAL/COMMERCIAL
INDUSTRIAL
INSTITUTIONAL
MARSH
WOODS
AGRICULTURAL LAND

Figure #2

GROWTH MANAGEMENT CONSIDERATIONS

As the rate of development and change in land use increases in a community, normally more strict or rigid rules for control are required. Consequently, Alexandra had to consider the rate, kind and location of growth, before deciding what rules and regulations were required. Following is a brief analysis of type and rate of land development in Alexandra in the past ten years.

1. Actual Physical Growth

The population of Alexandra is approximately 210 people comprising about 64 homes. Approximately 45 percent of all development between 1970 and 1980 was related to building a new home, additions or extensions to new homes, and remodelling (Table 1). Compared to development in other areas, such as the Charlottetown area (Table 2), growth in Alexandra has generally been slow.

Physical development over the past ten years has occurred in the form of ribbon development and limited subdivision development. It is expected that new development in the short term will reflect this pattern.

2. Physical Services

(a) road networks

The existing road network includes one artery (Georgetown Road), one connector road, two subdivision roads, and two clay roads. All roads are maintained by the provincial government. The emphasis for future road development will be on maintaining the relative high efficiency of the Georgetown Road.

(b) sewage disposal

A matter of importance to communities is the question of whether or not it will require a municipal sewer system

TABLE 1

BUILDING PERMITS - ALEXANDRA

1970 TO 1980

YEAR	S.F.D.	MOBILE	DUPLEX	COMMERC-CIAL	REMODEL	INSTITU-TIONAL	ADDITION	GARAGE & STORAGE	RELOCATE	INDUSTRIAL	FARM USE	TOTAL
1970	0	0	0	0	0	0	0	1	1	0	1	3
1971	0	0	0	0	2	0	1	1	0	0	0	4
1972	1	0	0	0	0	0	0	0	0	0	0	1
1973	3	0	0	0	0	0	1	0	1	0	0	5
1974	2	0	0	0	0	0	0	2	0	0	0	4
1975	2	0	0	0	0	0	0	0	1	0	0	3
1976	5	2	0	0	0	0	0	0	0	0	2	9
1977	0	1	0	0	0	0	2	0	0	0	1	4
1978	4	1	0	0	0	0	0	0	0	0	0	5
1979	7	0	1*	0	0	0	0	0	1	0	0	9
1980	6	0	0	0	0	0	0	2	0	0	1	9
TOTAL	30	4	1	0	2	0	4	6	4	0	5	56

* Building Permit Issued but Duplex Not Built

TABLE 2

RESIDENTIAL BUILDING ACTIVITY CHARLOTTETOWN AREA
1970 - 1978

PLACE	1970	1971	1972	1973	1974	1975	1976	1977	1978	TOTAL
Alexandra	--	--	1	3	2	2	7	1	5	21
Bunbury/Southport	16	18	38	35	79	47	30	40	48	351
Charlottetown	159	134	78	113	67	39	11	9	11	621
Cornwall	16	11	26	24	37	23	32	31	35	235
Crossroads	NA	NA	13	17	46	44	29	39	21	209
East Royalty	2	11	26	12	50	25	34	80	14	254
Hillsboro Park	NA	NA	44	86	8	0	0	0	16	154
Keppoch/Kinlock	NA	NA	2	7	17	3	16	17	14	76
North River Area	NA	NA	10	16	21	10	--	2	13	72
Parkdale	12	7	7	2	4	30	7	7	4	80
Sherwood	47	93	78	112	86	64	50	63	35	628
West Royalty	6	2	8	19	46	40	26	43	23	213
Winsloe	7	9	15	22	12	14	12	9	40	140
TOTAL	265	285	346	468	475	341	254	341	279	3,054

2(b) at some point in time. Alexandra, like many rural settlements, has developed with a very low density. Large lots and efficient private disposal systems will accommodate future growth in Alexandra and prevent a municipal sewer system from becoming a reality; unless the developer of a large subdivision is willing to provide the service.

LAND USE POLICIES

Presently, in the Community Improvement Area of Alexandra, the Province of Prince Edward Island through the Department of Community Affairs controls the development of land, specifically through building and subdivision regulations. These regulations apply to the creation of a new lot(s), lot size, building set back from public roads, minimum front yard, rear yard, and side yard distances, the distance of a new building from the high water mark of the nearest river, stream or other watercourse and access to public roads.

Over the last two years, a number of public meetings were held to discuss the possibility of the community adopting its own plan and regulations. As a result of the meetings, the Community Improvement Committee developed a community plan that deals with residential development, the development of agricultural buildings and excavation pits. The Committee proposes to expand on the existing provincial regualtions in these areas of concern. The Community Improvement Committee's policies are as follows:

Agricultural Land Use

Policy 1: *Anyone wanting to construct or make any structural change to a farm building or structure will require a building permit before construction begins.*

Policy 2: *It is the policy of the community to require for any livestock building:*

(1) a minimum lot area of 43,560 square feet,

(2) a minimum lot frontage of 100 feet,

(3) a minimum front yard of 50 feet,

(4) a minimum rear yard of 30 feet,

(5) a minimum distance of 75 feet from any domestic well on an adjacent property and from the high water mark of the nearest river, stream or other watercourse. The Community Improvement Committee may require the development to be located more than 75 feet if

(a) *the topography and physical charateristics of the land and soil are not suited to the purpose for development,*

(b) *surface drainage and potential flooding or erosion makes the land unsuitable for the intended development,*

(c) *the development would create undue damage to the environment.*

Residential, Industrial, Commercial and Institutional Land Uses

Policy 1: *Residential, industrial, commercial and institutional developments will occur on lots of adequate size to accommodate efficient private sewage disposal systems and water supplies. It is the community's policy to require a lot size of twenty thousand (20,000) square feet and duplex residential dwelling lot size of thirty thousand (30,000) square feet.*

Policy 2: *It is the community's policy to permit any subdivision size provided the subdivider is willing to pay for building the subdivision roads and, where necessary, providing a water and/or sewage system. The subdivider and/or the residential lot owner will be responsible for providing all street lighting services. The Community Improvement Committee will not assume the responsibility for the provision of these services to residential subdivisions.*

Policy 3: *It is the community's policy to require, where necessary, a subdivision agreement negotiated between the subdivider and the Community Improvement Committee regarding*

(1) *the phasing of the development,*

(2) *provision of a water and/or sewage system,*

(3) *the dedication of land, or cash in lieu of, for open space or recreational use,*

(4) *dedication of roads and payment of fees to the Department of Highways and Public Works for the cost of road construction.*

Policy 4: *In Alexandra, a mobile home will be considered a single family dwelling and permitted to locate where the regulations of this plan will permit a single family dwelling. A mobile home will be permitted in a subdivision of more than one lot in size and approved for single family dwelling use if all the residential landowners of the subdivision approve.*

Excavation Pits

Policy 1: *It is the policy of the community to recommend to the province that no new permits (temporary or permanent) be issued for excavation pits or sand-mining activities.*

Major Development

Policy 1: *The Community Improvement Committee will involve the public when considering a proposal for a major development.*

A major development is (a) a subdivision greater than (5) lots, (b) a mobile home court, (c) all commercial, industrial, institutional or recreational building (excluding agricultural buildings) or (d) any development that in the opinion of the Community Improvement Committee may occasion a general nuisance by way of pollution, excessive traffic, noise or other disturbance.

Policy 2: *The Community Improvement Committee shall notify landowners within one thousand (1,000) feet of the location of the proposed major development and request comments.*

Policy 3: *The Community Improvement Committee may, at the request of the adjacent property owner or at its own discretion, call a public meeting of residents for the purpose of hearing briefs or opinions supporting or objecting to a major development.*

Policy 4: *The Community Improvement Committee may set special conditions for approval regarding:*

(1) type of activity to be carried on,

(2) lot size,

(3) method of waste disposal,

(4) *parking facilities,*

(5) *access to roads and highways,*

(6) *limitation of detrimental effects on the environment that may result from the development, and*

(7) *reduction of unsafe and hazardous traffic conditions that may result from the development.*

Community Improvement Committee Responsibilities

Policy 1: *All decisions of approval or denial on development proposals shall be made by the Community Improvement Committee of Alexandra.*

Policy 2: *The Community Improvement Committee shall advise the applicant, in writing, within thirty (30) days from receipt of the application, whether it is approved, approved with conditions, deferred for a period not exceeding thirty (30) days, or refused.*

Policy 3: *The Community Improvement Committee will authorize staff of the Department of Community Affairs to administer the Official Plan and Regulations.*

Policy 4: *The Community Improvement Committee may authorize staff of the Department of Community Affairs to issue straight forward approvals which clearly conform to the Regulations.*

Department of Community Affairs Responsibilities

Policy 1: *All development proposals shall be submitted to the Department of Community Affairs. The date an application is received by the Department shall be considered the date the application is received by the Community Improvement Committee.*

Policy 2: *The Department of Community Affairs will process and review all applications to build or subdivide. Assigned staff of the Department will forward applications to other Departments of Government when their advice is required.*

Policy 3: *The Department of Community Affairs will forward all applications, recommendations, and comments to the Committee. Where applicable, the Department will, at the same time, forward the building permit and approved sewage disposal system permit.*

Policy 4: *When authorized by the Community Improvement Committee, the Department of Community Affairs may issue a building permit.*

ADOPTING THE LAND USE PLAN

STEP 1. From August, 1979 to March, 1980 six public meetings were held to discuss the need for a land use plan. As a result of those meetings on September 5, 1979 the Community Improvement Committee established a Planning Board and the document "Towards An Official Plan" was adopted to become the basis for a plan.

STEP 2. The Planning Board approved the Land Use Plan on February 10, 1981 for purposes of a public hearing.

STEP 3. Three public meetings were held March 11, April 2 and April 28, 1981 giving the residents of the community opportunity to consider, evaluate and comment on the plan.

STEP 4. Adjustments and alterations to the plan suggested at the public meetings were considered, and the plan was revised by the Planning Board to the satisfaction of the residents attending the meetings.

STEP 5. The Community Improvement Committee adopted the plan on March 9, 1982 by unanimous vote.

STEP 6. The Committee submitted the plan to the Land Use Commission.

PROCEDURE FOR OBTAINING A BUILDING, SEWAGE DISPOSAL SYSTEM PERMIT OR SUBDIVISION APPROVAL

STEP 1. Contact a member of the Alexandra Community Improvement Committee or the Charlottetown Field Services Office, Department of Community Affairs for an application to build or subdivide land.

STEP 2. If a sewage disposal system permit is required apply for both, the permit to build and the sewage disposal system permit.

STEP 3. Complete the application in detail including a diagram showing the boundaries of the lot, existing and proposed buildings, distance between buildings, distance of building to property lines and centre of road, location of the driveway, well, septic tank and tile field.

STEP 4. Submit the application to the Property Development Officer, Charlottetown Field Services Office.

STEP 5. The Community Improvement Committee shall approve or deny the application or defer its decision until a later date. If the Property Development Officer is authorized by the Committee to issue the permit then he will issue the permit and forward copies to the Committee.

STEP 6. If the application is approved for subdivision of land the applicant must survey the lots and provide a plan of subdivision showing the pinned lots. The Committee will then give its final approval.

STEP 7. If the application is approved the applicant will receive (1) a building permit (2) where applicable, a sewage disposal system permit and where it is for the subdivision of land, a letter of approval and a plan of subdivision stamped approved and designating the use of the lots and special conditions of approval.

STEP 8. The applicant may appeal any decision of the Committee to the Land Use Commission provided the appeal is made within 45 days of the date of the decision.

EC / 82

PLANNING ACT REGULATIONS
PLANNING ACT

ALEXANDRA DEVELOPMENT REGULATIONS

Made by the Lieutenant Governor in Council under Section 46 of the Planning Act R.S.P.E.I. 1974, Cap. P-6

1. The Planning Act Regulations (EC601/77) is amended by the addition of the following as Part XX:

PART XX

ALEXANDRA DEVELOPMENT REGULATIONS

Title

464. The regulations in this Part shall be know as the Alexandra Development Regulations.

Application of Part XX

465. The regulations in this Part apply to the geographic area within which the community improvement committee of Alexandra has jurisdiction.

Application of Parts I to VIII

466. Subject to the provisions of this Part, Parts I to VIII of these regulations apply in respect of any development in the area referred to in section 465 with the substitution of the committee for the Minister.

General Requirements

467. Following are the general requirements of the Community Improvement Committee before approval is given for a building permit, subdivision of land or change of use under Part XX and Parts I to VIII.

(a) The proposal shall conform to these regulations.

(b) The proposal will not be detrimental to the convenience, health or safety of occupants, residents or the general public.

(c) The proposal will not place undue pressure on the Committee to provide services.

(d) The proposal will not result in undue damage to the natural environment.

(e) The proposal will not have a detrimental impact on surrounding land uses.

(f) The proposal will not result in a fire hazard to the occupants or to neighbouring buildings or structures.

(g) Construction should commence within twelve

Definitions

468. In this Part

(a) "committee" means the community improvement committee of Alexandra.

(b) "major development" means a development involving the subdivision of more than five lots, a mobile home court, the erection of any commercial, industrial, institutional or recreational building (excluding agricultural buildings) or any development which, in the opinion of the committee, may occasion a general nuisance by way of odours, pollution, excessive traffic, noise or other disturbance.

Development control

469. (1) No development is permitted except in conformity with this Part and upon the issue of a building permit, subdivision approval or other approval by the committee of an application.

Delegating authority to issue

(2) The committee may delegate authority to issue a building permit, subdivision approval or other approval to staff of the Department of Community Affairs.

Conditions

(3) The committee may attach conditions to a building permit or approval.

ADMINISTRATION

Administration and enforcement

470. (1) The committee is responsible for the administration and enforcement of this Part.

Inspectors

(2) An inspector authorized by the committee may, at any reasonable time, enter upon lands for which development or subdivision approval has been granted and may carry out such inspections and conduct such tests as the committee deems necessary to determine that the development or subdivision is being done in accordance with the terms of the approval.

Applications

471. (1) Applications for building permits and development approval shall be made on forms approved by the committee.

Reference to other authorities

(2) The committee may refer any application to staff of the Department of Community Affairs, to review building permit applications, carry out site inspections, and conduct inspections of sewage disposal systems.

Soil tests

472. The committee may require a soil test of the development site if a problem with the drainage of the area or capability of the land for sewage disposal is suspected.

Minor variance

473. (1) The committee may authorize a minor variance not exceeding 10 per cent from the provisions of this Part, if desirable and appropriate, and in the opinion of the committee the general intent and purpose of this Part are maintained.

Agricultural development, minor variance

(2) For any agricultural development including an intensive livestock operation, the committee may authorize a variance exceeding 10 per cent, provided residents living within 1000 feet of the site of the proposed development are notified of the committee's intent to grant such a variance. Comments shall be received by the committee from the residents for a period not exceeding two weeks from the date of notification.

Record of authorization

(3) Authorization of any variance shall be documented and recorded in writing by the committee.

Disposition of application

474. (1) The committee may

(a) approve;

(b) approve with conditions;

(c) defer for 30 days; or

(d) refuse

an application and shall advise the applicant in writing of its decision within 30 days of receipt of the application.

Reasons

(2) Where an application is refused or deferred, the committee shall advise the applicant in writing of the reasons therefor.

CHANGE OF USE

Change of use

475. Any person proposing to make a material change of the use or the intensity of the use of any land, building or premises shall apply to the committee for approval.

MAJOR DEVELOPMENT

Notice

476. (1) In respect of any major development, the committee shall notify landowners within 1000 feet of the location of the proposal and request comments.

Public meeting

(2) The committee may, at its discretion call a public meeting of residents for the purpose of hearing briefs or opinions supporting or objecting to a major development.

Advertisement

(3) Where the committee determines to hold a public meeting, it shall give two notices of the public meeting by advertisement to appear not less than one week prior to the date of the public meeting.

Contents of advertisement

(4) Notice of a public meeting under subsection (3) shall contain the nature and location of the proposed major development and the date and time of meeting.

Special conditions for approval

477. (1) Notwithstanding any other provisions of this Part, before a proposal for a major development is approved, the committee may set special conditions for approval regarding

(a) type of activity to be carried on;

(b) lot size;

(c) method of waste disposal;

(d) parking facilities;

(e) accesses to roads and highways;

(f) limitation of detrimental effects on the environment that may result from the development; and

(g) reduction of unsafe or hazardous traffic conditions that may result from the development.

Breach of conditions

(2) Where a development or subdivision proposal is for a major development, the committee may deny the building permit or the application to subdivide land if the applicant does not agree to the special conditions, or revoke the building permit or the subdivision approval if the special conditions are not met.

Statement of special conditions

(3) Special conditions shall be contained in the letter of approval from the committee and on the building permit or plan of subdivision.

AGRICULTURAL BUILDINGS

Permit

478. (1) Any person proposing to construct or alter a farm building or structure will require a building permit before construction begins.

Lot size

(2) No farm building shall be constructed on a lot having a lot area less than 43,560 square feet.

Frontage

(3) No person shall construct a livestock building on a lot with less than 100 feet of frontage on a public road.

Set backs

(4) The following provisions apply in respect of the constructing of any livestock building or structure:

(a) front yard of 50 feet;

(b) rear yard of 30 feet;

(c) a minimum distance of 75 feet from any domestic well on an adjacent property and from the high water mark of the nearest river, stream or other watercourse. The committee may require the development to be located more than 75 feet if the topography and physical characteristics of the land and soil are not suited to the purpose for development, surface drainage and potential flooding or erosion makes the land unsuitable for the intended development and the development would create undue damage to the environment.

RESIDENTIAL, INDUSTRIAL, COMMERCIAL, INSTITUTIONAL BUILDINGS

Minimum lot size

479. No person shall build on, sell or convey title to or purchase any lot having a lot area of less than 20,000 square feet or for residential duplex dwelling use, having a lot area of less that 30,000 square feet.

SUBDIVISION OF LAND

Surveys

480. Notwithstanding subsection 24 (1.1) of the regulations, prior to final approval all corners of a lot in a subdivision shall be pinned by a qualified land surveyor.

Conveyance

481. No lot of a subdivision can be surveyed until the committee gives final approval to the plan of subdivision.

Reduction of lot size

482. No person shall diminish the size of any lot below the size prescribed in this Part.

Use of lot

483. Prior to final approval the committee shall require the subdivider to assign a use in respect of each lot on the plan of subdivision.

EXCAVATION PITS

Review and recommend

484. (1) The committee may review applications for temporary and permanent excavation pits referred to the committee by the Department of Community Affairs and make recommendations to the Department.

Public Meeting

(2) The committee may call a public meeting to hear comments and objections on an application for an excavation pit.

GENERAL

Offence

485. Failure to comply with this Part constitutes an offence under Part IV of the Planning Act.

Appeal

486. An appeal lies to the Land Use Commission against a decision of the committee under this Part.

Commencement

2. These regulations come into force on